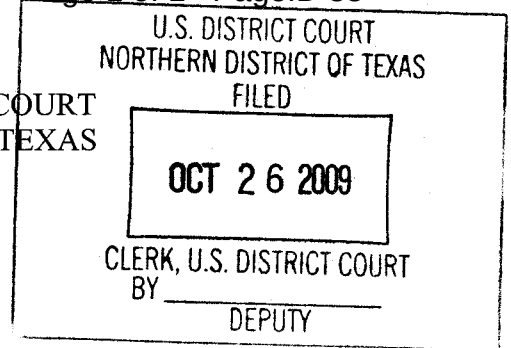


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION



ELIJIO SANCHEZ,

Petitioner,

v.

RICK THALER, Director,  
Texas Department of Criminal Justice,  
Correctional Institutions Division,

Respondent.

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2:09-CV-0238


**ORDER ADOPTING REPORT AND RECOMMENDATION**  
**and DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS**

Petitioner has filed with this Court a petition for a federal writ of habeas corpus. On September 21, 2009, the United States Magistrate Judge entered a Report and Recommendation in this cause, recommending therein that the instant habeas application be dismissed for failure to pay the requisite filing fee. As of this date, no objections to the Magistrate Judge's Report and Recommendation have been filed of record, nor has the filing fee been paid in this cause.

Having made an independent examination of the record in this case, the undersigned United States District Judge is of the opinion the Magistrate Judge's Report and Recommendation should be, and hereby is, ADOPTED. Accordingly, the petition for a writ of habeas corpus is hereby DISMISSED for failure to pay the filing fee.

IT IS SO ORDERED.

ENTERED this 26th day of October 2009.

  
MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE